



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 2387**
Willem Johannes VAN STRAATEN : Attorney Docket No. 2004_0872A
Serial No. 10/501,476 : Group Art Unit 3635
Filed July 14, 2004 :
TEMPORARY STRUCTURE : **Mail Stop: PETITION BRANCH**

PATENT OFFICE FEE TRANSMITTAL FORM

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEES FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975

Sir:

Attached hereto is a check in the amount of \$130.00 to cover Patent Office fees relating to filing the following attached papers:

Petition to Make Special \$130.00

A duplicate copy of this paper is being submitted for use in the Accounting Division, Office of Finance.

The Commissioner is authorized to charge any deficiency or to credit any overpayment associated with this communication to Deposit Account No. 23-0975, with the EXCEPTION of deficiencies in fees for multiple dependent claims in new applications.

Respectfully submitted,

Willem Johannes VAN STRAATEN

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Willem Johannes VAN STRAATEN : **Confirmation No. 2387**
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TEMPORARY STRUCTURE

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PETITION TO MAKE SPECIAL
REQUEST FOR ACCELERATED EXAMINATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Petition is hereby made to make the above identified application special and accelerate examination of this application. As per the requirements of MPEP 708.02, section VIII, the Applicant provides each of the required items (A)-(E) as follows:

(A) Accompanied with this petition to make special is the required fee set forth in 37 C.F.R. 1.17(h);

(B) A first Preliminary Amendment was submitted on July 14, 2004 which canceled claims 1-15 and added claims 16-28. A second Preliminary Amendment is submitted concurrently herewith which cancels claims 16-28 and adds new claims 29-42. Applicant submits that all of the claims (i.e., claims 29-42) of this application are directed to a single invention, but in the event that the Patent Office takes the position that all the claims presented are not obviously directed to a single invention, Applicant hereby offers to make an election without traverse;

(C) Applicant submits that a pre-examination search was made. As the basis for the pre-examination search, Applicant relies on the search made by the European Patent Office in the International Search Report for International Application No. PCT/ZA03/00006, of which the present application is the National Stage application. The International Search Report was submitted in the present application with an IDS on July 14, 2004. Applicant notes that the claims in the international application are of a similar scope to the claims in the present application.

(D) Applicant submits that the following are the references deemed most closely related to the subject matter encompassed by the claims:

- I. EP 0 306 717; and
- II. WO 90 15208.

Applicant notes that each of the above-noted references was submitted along with the Information Disclosure Statement filed in the present application on July 14, 2004.

(E) Applicant provides the following detailed discussion of the above-mentioned references which points out how the claimed subject matter of the present application is patentable over the references:

Detailed Discussion

The present application includes claims 29-42, of which claim 29 is the only independent claim. This claim recites at least the following features that Applicants submit are not anticipated, suggested, or rendered obvious by the references listed in section (D) above:

Claim 29 is drawn to a kit for building a structure which includes a plurality of panels, wherein each panel includes a region of flexible sheet material and an inflatable tubular section of sheet material which extends around the region to form a continuous peripheral formation of the panel, wherein each fastener includes a body which is made from a resiliently deformable plastics material and which is formed with two arcuate sections which respectively define clip formations, and wherein the clip formations of a fastener are respectively engageable with the peripheral formations of two of the panels which are positioned adjacent each other, to secure the panels together.

Applicant submits that at least the above features recited in independent claim 29 are not anticipated, suggested or rendered obvious by the references listed in section (D) above, for the following reasons:

I. EP 0 306 717

This reference discloses a skeletal frame supporting a continuous sealed, flattened plastic film tube for retaining gas under positive pressure (see Abstract). As disclosed in this reference, the retaining line 110 is threaded into and pulled through the track 100 in the fastener, from one end to the other, taking the tubular film along with it (see col. 6, lines 8-11). In other words, the fastener 68 cannot directly flexibly engage with a peripheral portion of a panel but, instead, the peripheral portion must be threaded through the formation 100.

Thus, while this reference discloses a retaining line that is threaded into and pulled through the track in the fastener, Applicant respectfully submits that this reference does not disclose or suggest at least the above-noted features in claim 29 drawn to each fastener including a body which is made from a resiliently deformable plastics material and which is formed with two arcuate sections which respectively define clip formations, wherein the clip formations of a fastener are respectively engageable with the peripheral formations of two of the panels which are positioned adjacent each other, to secure the panels together.

II. WO 90 15208

This reference discloses an inflatable building made of a framework of arches (see Abstract). As explained in this reference, each of the arches is made from a continuous tube, each tube having been made from an inner envelop of air impermeable expansible material disposed within an outer sheath of reinforcement material, the two having been urged into contact and adhesive used to secure the two together (see page 1, lines 19-23).

Thus, while this reference discloses that each arch is made from a continuous tube, Applicant respectfully submits that this reference does not disclose or suggest at least the feature recited in claim 29 drawn to each panel including a region of flexible sheet material and an inflatable tubular section of sheet material which extends around the region to form a continuous peripheral formation of the panel.

Conclusion

Because of the above mentioned distinctions, Applicant submits that independent claim 29, and all claims that depend therefrom, are not anticipated by any of the above mentioned references. Further, Applicant submits that the distinctions are such that a person having ordinary skill in the art at the time of the invention would not have been motivated to modify or combine any of the above mentioned references in such a manner so as to result in, or otherwise render obvious, the present invention as recited in claims 29-42. Therefore, Applicant submits that claims 29-42 are allowable over the above mentioned prior art references.

In view of the forgoing, since Applicant has provided each of the necessary items (A)-(E) identified above, Applicant respectfully requests that this Petition to Make Special be granted and the examination of this application be accelerated.

The Special Program Examiner is invited to contact the undersigned by telephone if it is felt that there are any issues remaining which must be resolved before the granting of this Petition to Make Special.

Moreover, for at least the reasons found in item (E) above, it is submitted that the present application is clearly allowable over the prior art of record.

In the event, however, that the Examiner has any comments or suggestions of a nature necessary to place this case in condition for allowance, then the Examiner is kindly requested to contact Applicant's undersigned attorney by telephone to promptly resolve any such matters.

Respectfully submitted,

Willem Johannes VAN STRAATEN

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